FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 4521 OF 2007

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr. A.D. Patwardhan for Petitioner.

Mr. P.M. Patil, A.G.P. for R.No. 1.

Mr. C.U. Singh, Sr. Counsel with Mr. Ankit Mehta i/by Haresh Mehta & Co. for R. No. 3.

Mr. R.S. Pai with Mr. Sandesh Deshpande for R. No. 4.

CORAM : F.I. REBELLO &
R.M. SAVANT,JJ.
DATED : JUNE 14, 2007

P.C.

. Rule. Heard forthwith.

. The Petitioners were employed as contract workers in the canteen run in the establishment of the Respondent No. 3. The contractor with whom the Petitioners were working, wrote to the company intending to terminate the contract. It appears that the new contractor has been appointed. Some workers working with the old contractor, pursuant to the notice by

the new contractor, applied and have been selected. The Present petitioner did not apply and consequently have not been selected by the new contractor. The new contract is due to commence on 18th June, 2007.

. By the present petition, the Petitioners have prayed for two reliefs. Their first relief is to direct the State Government to act on the decision of the advisory committee in the matter of abolition of the contract labour. It is the contention by the petitioners that pursuant to their application the matter was referred to the advisory committee which has given its report to the State Government. The State Government has not yet acted on the same. Appearance put on behalf of the State Government. The State Government if the report has been received to take a decision within six weeks from today and communicate the same to the parties.

. In so far as the issue of the employment of the Petitioners, the new contractor is not before us. If the Petitioner apply to the new contractor and if the contractor requires more workers, the said contractor on the basis that these workmen were

working with the previous contractor to consider the Petitioners also. The new contractor to take the decision on the application of the Petitioners as far as possible before 18th June, 2007. It is made clear that it is open to new contractor to consider his requirement based upon suitability. The Petitioner to apply to the new contractor forthwith. With the above observation, Petition disposed of. Rule made partly absolute.

No order as to costs.

(R.M.SAVANT,J.) **(F.I. REBELLO,J.)**